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Fresno, California

February 29, 2000

The City Council met in joint session with the Redevelopment Agency at the hour of 8:46 a.m. in the Council Chambers, City Hall, on the day above written.

Present:	Garry Bredefeld	Acting President
	Chris Mathys	Councilmember (Arrived later)
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember
	Ken Steitz	Councilmember (Arrived later)
	Tom Boyajian	Council President

Jeff Reid, City Manager (Arrived later)  
Dan Fitzpatrick, Agency Executive Director  
Hilda Cantu Montoy, City Attorney  
Rebecca Klisch, City Clerk  
Yolanda Salazar, Assistant City Clerk

**(8:30 A.M.) REGULAR JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

**APPROVE AGENCY MINUTES OF FEBRUARY 15, 2000**

On motion of Acting President Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, the Agency minutes of February 15, 2000, approved as submitted.

**(“A”) APPROVE EMPLOYMENT AGREEMENT FOR THE AGENCY EXECUTIVE DIRECTOR**

On motion of Acting President Bredefeld, seconded by President Boyajian, duly carried, RESOLVED, a new one (1) year at-will employment agreement between the Redevelopment Agency of the City of Fresno and Daniel R. Fitzpatrick hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo
Noes	:	None
Absent	:	Mathys, Steitz

Chair Ronquillo and Councilmember Perea commended Director Fitzpatrick for his work and performance.

**DIRECTION TO STAFF TO SCHEDULE THE GAP PONDING BASIN ISSUE FOR A JOINT MEETING - COUNCILMEMBER PEREA**

Direction made and the matter was set for March 21<sup>st</sup>. President Boyajian requested staff include the \$500,000 grant, the \$3 million flood control project and the golf course project issues in the report, with Director Fitzpatrick stating both the Agency and City would have to provide reports as both entities were involved.

(“B”) JOINT HEARING TO ADOPT A RESOLUTION APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) BETWEEN THE REDEVELOPMENT AGENCY AND DIRK AND DIANA M. POESCHEL, AND MAKING CERTAIN FINDINGS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33433 FOR PROPERTY AT 923 VAN NESS AVENUE (COUNCIL AND AGENCY ACTION)  
(CONTINUE TO 3:00 P.M.)

Continued as noted.

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The joint bodies adjourned at 8:52 a.m. and recessed to 3:00 p.m. The City Council convened in regular session at the hour of 9:06 a.m. with all members present.

Father Raul Sanchez, St. Alphonsus Catholic Church, gave the invocation.

Councilmember Mathys led the Pledge of Allegiance to the Flag.

PROCLAMATION IN HONOR OF CALIFORNIA STATE UNIVERSITY, FRESNO’S “WAC 2000 MEN’S AND WOMEN’S BASKETBALL TOURNAMENT” - PRESIDENT BOYAJIAN

PRESENTATION OF CHECK BY DEPARTMENT OF PUBLIC UTILITIES EMPLOYEES TO BREAK THE BARRIERS - MAYOR PATTERSON

COMMENDATIONS TO THE ACADEMIC DECATHLON VALLEY CHAMPIONSHIP TEAM - EDISON HIGH SCHOOL - COUNCILMEMBER RONQUILLO

RESOLUTION OF COMMENDATION TO LINDA BOAEN, TEACHER OF THE YEAR - COUNCILMEMBER MATHYS

CERTIFICATES OF COMMENDATION TO HOOVER HIGH SCHOOL STUDENT PARTICIPANTS IN THE NATIONAL ENGINEERING DESIGN CHALLENGE - ACTING PRESIDENT BREDEFELD (2 - 0)

The above listed proclamations and commendations were read and presented.

The visiting Student Council of Edison High Computech Middle School was recognized and welcomed.

CERTIFICATES OF COMMENDATION TO HOOVER HIGH SCHOOL ENGLISH STUDENTS - ACTING PRESIDENT BREDEFELD

Removed from the agenda.

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APPROVE COUNCIL MINUTES OF FEBRUARY 15, 2000

On motion of Acting President Bredefeld, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the minutes of February 15, 2000, approved as submitted.

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**APPROVE AGENDA:**

**(11:45 A.M.)** HEARING TO CONSIDER AMENDMENTS TO THE DEVELOPMENT AGREEMENT WITH CALCOT LTD., FOR TRACT NO. 4637, PALM BLUFFS CORPORATE CENTER  
**(CONTINUE TO MARCH 14, 2000, AT 10:00 A.M.)**

Continued to March 14, 2000, at 10:00 a.m.

**(1B-2) \* BILL-** ADDING SECTION 11-220.1 TO THE FRESNO MUNICIPAL CODE RELATING TO PERMITS FOR THE PLACEMENT OF POSTAL AND PACKAGE DROP BOXES IN THE PUBLIC STREET RIGHT-OF-WAY

**(1B-3) \* BILL -** ADDING SECTION 8-808 (h) TO THE FRESNO MUNICIPAL CODE RELATING TO THE PLACEMENT OF NEWSPAPER VENDING RACKS IN THE PUBLIC STREET RIGHT-OF-WAY

The above entitled Items **1B-2** and **1B-3** were removed from the agenda at the direction of staff.

**(3:00 P.M. “B”)** \* **RESOLUTION - 82<sup>ND</sup>** AMENDMENT TO AAR 99-181 APPROPRIATING \$40,000 FOR THE WATER TOWER VISITOR’S CENTER PROJECT

**(3:00 P.M. “C”)** RECEIVE TIMELINE FOR COST AND PROCESS TO OBTAIN BOND FINANCING FOR CONVENTION CENTER/SELLAND ARENA IMPROVEMENTS/UPGRADE AND RENOVATION OF THE OLD EXHIBIT HALL - COUNCILMEMBER PEREA

**1.** DIRECTION TO STAFF REGARDING PHASE 1 OF CONVENTION CENTER MODERNIZATION - COUNCILMEMBER QUINTERO:

**a.** DIRECT CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR FIRMS TO PROVIDE DESIGN/ARCHITECTURAL SERVICES INCLUDING BID SPECIFICATIONS TO REMODEL THE OLD EXHIBIT HALL

**b.** DIRECT THE CITY MANAGER TO ISSUE A RFQ FOR FIRMS TO COMPLETE THE PARKING GARAGE USER/DEMAND ANALYSIS, COMPLETE WITH FINANCIAL PROJECTIONS, PRELIMINARY DESIGN, AND SIZE OPERATING BUDGETS. SELECTED FIRM WOULD ALSO COMPLETE SPECIFICATIONS

City Clerk Klisch noted the above entitled Items **3:00 “B”** and **“C”** required Council action which was not indicated.

**(10:00 A.M. #2)** HEARING TO NAME THE MAPLE/SHEPHERD AVENUES PARK THE “SELMA LAYNE PARK” - ACTING PRESIDENT BREDEFELD

City Clerk Klisch corrected the title to read “Selma M. Layne Park”. So noted.

**(5:30 P.M.)** HEARING ON PLAN AMENDMENT NO. A-99-03, REZONING APPLICATION NO. R-99-06, AND ENVIRONMENTAL FINDINGS, FILED BY ROGER PETERSEN, PROPERTY LOCATED AT THE SOUTHEAST CORNER OF N. PALM AND W. HERNDON AVENUES

**(REQUEST BY APPLICANT TO CONTINUE TO APRIL 25, 2000, AT 5:45 P.M.)**

A motion and second was made to continue the matter to April 25<sup>th</sup> at 5:30 p.m. instead of 5:45 p.m. Brief discussion ensued on the time. Councilmember Perea confirmed and made part of the record a letter received from the applicant stating a grocery store would be deleted from any future plans brought forth.

On motion of Councilmember Mathys, seconded by Councilmember Steitz, duly carried, RESOLVED, the hearing on Plan Amendment No. A-99-03, Rezoning Application No. R-99-06, and Environmental Findings, filed by Roger Petersen, continued to April 25, 2000, at 5:00 p.m., by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

**(5A) RESOLUTION - SUPPORTING PROPOSITION 22 - THE PROTECTION OF MARRIAGE INITIATIVE - COUNCILMEMBER STEITZ**

President Boyajian made a motion to remove the item from the agenda, which motion was seconded and acted upon after brief discussion.

Councilmember Steitz expressed his concern and questioned why the matter was being pulled emphasizing it was very important that Council take a position on the matter. President Boyajian and Councilmember Perea stated the proposition would have no direct impact on the community and was not an appropriate matter to be before Council. Councilmembers Steitz and Mathys expressed their support for the resolution with Councilmember Steitz stating this was an appropriate matter for Council stressing Council had previously taken positions on other propositions.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, dully carried, RESOLVED, a call for the question approved and debate on the issue closed, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo, Boyajian
Noes	:	Mathys, Steitz
Absent	:	None

On motion of President Boyajian, seconded by Councilmember Perea, duly carried, RESOLVED, **Item 5A** removed from the agenda, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo, Boyajian
Noes	:	Mathys, Steitz
Absent	:	None

DIRECT CITY MANAGER TO PROVIDE FULL REPORT ON 3/21/00, IN JOINT RDA/COUNCIL SESSION RELATIVE TO THE GAP PONDING BASIN ISSUE INCLUDING THE \$500,000 GRANT AND POSSIBILITY OF LOSING IT, THE \$3 MILLION FLOOD CONTROL PROJECT, AND AIRWAYS GOLF COURSE - PRESIDENT BOYAJIAN

Direction made.

PROPOSITION 22 - COUNCILMEMBER STEITZ

Councilmember Steitz began commenting on the issue urging the community to support the proposition whereupon President Boyajian ruled Councilmember Steitz out of order stating the matter had been removed from the agenda. Councilmember Steitz expressed his concern and questioned why he was being censored, with Councilmember Mathys stating Councilmember Steitz had a right to make comments.

On motion of Councilmember Perea, seconded by Acting President Bredefeld, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo, Boyajian
Noes	:	Mathys, Steitz
Absent	:	None

Councilmember Steitz continued expressing his concern with not being able to comment, called for a point of order, and made a motion to appeal the decision of the Chair ruling him out of order.

A motion of Councilmember Steitz, seconded by Councilmember Mathys, appealing the decision of the Chair and allowing Councilmember Steitz to comment on Proposition 22 failed, by the following vote:

Ayes	:	Mathys, Steitz
Noes	:	Bredefeld, Perea, Quintero, Ronquillo, Boyajian
Absent	:	None

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**ADOPT CONSENT CALENDAR:**

**(1A-1)** DECLARING IT A MINOR IRREGULARITY THAT THE SUBCONTRACTOR INFORMATION FROM JOHN GORSKY CONSTRUCTION WAS NOT SUBMITTED ON TIME BUT WAS PROVIDED IMMEDIATELY UPON REQUEST; AND AWARD A CONTRACT TO JOHN GORSKY CONSTRUCTION IN THE AMOUNT OF \$92,5000 TO CONSTRUCT WELL SITE IMPROVEMENTS AT PUMP STATION NO. 3A

**(1A-2)** AWARD A CONTRACT TO SMITH CONSTRUCTION IN THE AMOUNT OF \$75,463 TO FURNISH AND INSTALL A DEARATION TANK AND FOR WELL SITE IMPROVEMENTS AT PUMP STATION NO. 185

**(1A-3)** APPROVE A SUBORDINATION AGREEMENT TO ACCOMMODATE THE ANNADALE HOUSING CORPORATION'S RESTRUCTURE OF DEBT OWED TO SAVINGS ASSOCIATIONS MORTGAGE COMPANY, INC., AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT SUBJECT TO NONMATERIAL CHANGES AS MAY BE APPROVED BY THE CITY MANAGER, AND APPROVED AS TO FORM BY THE CITY ATTORNEY

**(1A-4) \*** AUTHORIZE THE POLICE CHIEF TO RENEW AND ENTER INTO AN AGREEMENT WITH THE HOUSING AUTHORITY IN ORDER FOR THE CITY TO RECEIVE \$100,000 FOR THE PURPOSE OF PROVIDING CRIME PREVENTION, COMMUNITY EDUCATION, AND POLICE PATROL SERVICES AT SELECTED PUBLIC HOUSING COMPLEXES UNDER THE EVICT NARCOTICS FROM PUBLIC HOUSING (ENPH) PROGRAM

**(1A-5) \* RESOLUTION NO. 2000-57 - 75<sup>TH</sup> AMENDMENT TO AAR 99-181 APPROPRIATING FUNDS RECEIVED FROM THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING (P.O.S.T.) FOR THE PURPOSE OF PROVIDING TRAINING EQUIPMENT AND ADDITIONAL TRAINING COURSES FOR LAW ENFORCEMENT PERSONNEL**

**(1A-6) APPROVE THREE (3) LAND LEASES WITH THE FEDERAL AVIATION ADMINISTRATION (FAA): LEASE NOS. DTFA08-00-L-20301, DTFA08-00-L-20302 AND DTFA98-00-L-20172**

**(1A-7) APPROVE THE AMENDMENT TO THE AGREEMENT WITH TABLE MOUNTAIN RANCHERIA FOR SALE, REMOVAL AND MAINTENANCE OF THE FORT MILLER BLOCKHOUSE FROM DECEMBER 31, 1999, TO FEBRUARY 28, 2001**

**(1A-10) RESOLUTION NO. 2000-58 - AMENDING SUBSECTION (g) OF SECTION 6 OF RESOLUTION NO. 98-59, AMENDING THE TIME ALLOWED FOR A DECISION TO BE SERVED ON THE PARTIES OF AN APPEAL HEARD BY A HEARING OFFICER**

On motion of Councilmember Perea, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

**CONSENT CALENDAR - BILLS FOR INTRODUCTION:**

**(1B-1) \* BILL NO. B-17 - REPEALING SUBSECTION (c) OF SECTION 3-404 OF THE FRESNO MUNICIPAL CODE RELATING TO EXEMPTION FROM PAYMENT OF PREVAILING WAGES**

**(1B-4) \* BILL NO. B-18 - AMENDING SECTION 2-2801 OF THE FRESNO MUNICIPAL CODE ADDING ANNUAL LEAVE WHICH IS ACCRUED IN LIEU OF VACATION LEAVE AND SICK LEAVE FOR PARTICIPATING CITY EMPLOYEES (SUBSEQUENTLY RECONSIDERED AND PULLED FROM THE CONSENT CALENDAR FOR ACTION UPON UNDER “CONTESTED CONSENT CALENDAR” ITEMS AT 2:00 P.M.)**

On motion of Councilmember Perea, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled Bill Nos. B-17 and B-18 introduced before the Council and laid over, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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**(9:30 A.M.) HEARING ON APPEAL OF CONDITIONAL USE PERMIT (CUP) NO. C-99-198, FILED BY KIMBERLY HARVEY, PROPOSING A LARGE FAMILY DAY CARE FACILITY FOR UP TO 14 CHILDREN ON PROPERTY LOCATED AT 719 N. FOWLER AVENUE**

**1. RESOLUTION NO. 2000-59 - DENYING THE APPEAL AND APPROVING THE PROJECT**

President Boyajian announced the time had arrived to consider the issue and opened the hearing. Planning Manager Beach reviewed the project and the staff report as submitted, summarized the findings for consideration, advised an appeal had been filed by an adjacent property owner and staff had reviewed those concerns, and recommended the appeal be denied and the project be approved.

Mr. Beach and an unidentified applicant representative responded to questions of Councilmember Quintero relative to lot size, improvements made on McKenzie to accommodate child drop-offs/pick-ups, type of operation, staff's work with the appellant throughout the process, police department comments, and hours/days of operation. City Attorney Montoy briefly advised of state law relative to day care centers and noted requirements had been met.

Barbara Hunt, 944 "F" Street, spoke in support of the project.

Upon call, no one else wished to be heard and President Boyajian closed the hearing.

On motion of Councilmember Quintero, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 2000-59 denying the appeal filed by Mr. Grant Bruegman of the Development Director's approval of CUP No. C-99-198 hereby adopted, and thus, the Director's decision to approve CUP No. C-99-198, subject to the conditions stated in the Notice of Granting dated 1/28/00 (Attachment "A-2" of the staff report) and compliance with state law, hereby upheld, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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#### RECONSIDER ADOPTION OF THE CONSENT CALENDAR, SPECIFICALLY **ITEM 1B-4:**

**(1B-4) \* BILL NO. B-18 - AMENDING SECTION 2-2801 OF THE FRESNO MUNICIPAL CODE ADDING ANNUAL LEAVE WHICH IS ACCRUED IN LIEU OF VACATION LEAVE AND SICK LEAVE FOR PARTICIPATING CITY EMPLOYEES**

On motion of Acting President Bredefeld, seconded by Councilmember Ronquillo, duly carried, RESOLVED, introduction of Bill No. B-18 withdrawn and **Item 1B-4** removed from the Consent Calendar for discussion/action under "Contested Consent Calendar" at 2:00 p.m., by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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**(10:00 A.M. #1) HEARING ON REZONING APPLICATION NO. R-99-43, FILED BY THE CALIFORNIA FELINE FOUNDATION, PROPERTY LOCATED ON THE EAST SIDE OF N. HAYSTON BETWEEN E. DAKOTA AND E. PONTIAC WAY - 3934 N. HAYSTON AVENUE**

**1. CONSIDER ENVIRONMENTAL ASSESSMENT/NEGATIVE DECLARATION NO. R-99-43**

**2. BILL NO. B-18 - ORDINANCE NO. 2000-21 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM R-A TO M-1**

President Boyajian announced the time had arrived to consider the issue and opened the hearing. Councilmember Steitz stated he would not support straight M-1 zoning as the project abutted up to residential property and requested the same conditions as the Ashlan/Barton project be applied and that Nos. 2 and 15 of the related uses be kept and all the others deleted, with staff consenting.

Upon question, Ron Patterson, representing California Feline Foundation, stated he had no problem with the conditions.

Upon call, no one else wished to be heard and President Boyajian closed the hearing.

On motion of Councilmember Steitz, seconded by Councilmember Mathys, duly carried, RESOLVED, the finding of a Mitigated Negative Declaration for Environmental Assessment No. R-99-43 hereby approved, and the above entitled Bill No. B-18 adopted as Ordinance No. 2000-21, with conditions verbalized by Councilmember Steitz, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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**(10:00 A.M. #2) HEARING TO NAME THE MAPLE/SHEPHERD AVENUES PARK THE “SELMA M. LAYNE PARK” - ACTING PRESIDENT BREDEFELD**

President Boyajian announced the time had arrived to consider the issue and opened the hearing. Councilmember Mathys and Acting President Bredefeld spoke in support of the naming citing Mrs. Layne’s leadership and love for her community.

Speaking in support were: Barbara Hunt, 944 “F” Street; Joni Johnson, Fresno Neighborhood Alliance; and Mr. Rosatti, Woodward Park Homeowners Association.

Upon call, no one else wished to be heard and President Boyajian closed the hearing.

On motion of Acting President Bredefeld, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the park at Maple and Shepherd Avenues hereby named the “Selma M. Layne Park”, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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**(5B) \* RESOLUTION NO. 2000-60 - 79<sup>TH</sup> AMENDMENT TO AAR 99-181 APPROPRIATING \$4,400 OF DISTRICT 3'S GENERAL FUND INFRASTRUCTURE BUDGET TO FUND ARTES AMERICAS MUSEUM (\$1,900) AND THE AFRICAN AMERICAN MUSEUM (\$2,500) - COUNCILMEMBER RONQUILLO**

On motion of Councilmember Ronquillo, seconded by Councilmember Mathys, duly carried, RESOLVED, the above entitled Resolution No. 2000-60 hereby adopted, by the following vote:



Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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**(5C) \* RESOLUTION NO. 2000-61 - 59<sup>TH</sup> AMENDMENT TO AAR 99-181 APPROPRIATING \$600 OF DISTRICT 4'S GENERAL FUND INFRASTRUCTURE BUDGET TO FUND THE NFL GATORADE PUNT, PASS & KICK COMPETITION ORGANIZED BY THE C.S.U.F. ATHLETIC CORPORATION - COUNCILMEMBER STEITZ**

On motion of Councilmember Steitz, seconded by Councilmember Mathys, duly carried, RESOLVED, the above entitled Resolution No. 2000-61 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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**(5D) \* RESOLUTION NO. 2000-62 - 81<sup>ST</sup> AMENDMENT TO AAR 99-181 APPROPRIATING \$9,300 OF DISTRICT 5's GENERAL FUND INFRASTRUCTURE BUDGET TO FUND THE INSURANCE AND COUNSELING ADVISORY PROGRAM (\$2,000), THE TEEN FESTIVAL (\$3,000), AND THE COURT OF HONOR MONUMENT AT FRESNO CITY COLLEGE (\$4,300) - COUNCILMEMBER QUINTERO**

On motion of Councilmember Quintero, seconded by Councilmember Mathys, duly carried, RESOLVED, the above entitled Resolution No. 2000-62 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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**(5E) RESOLUTION NO. 2000-63 - OPPOSING PROPOSITION 21 - THE UNFUNDED GANG VIOLENCE AND YOUTH PREVENTION ACT - COUNCILMEMBER PEREA**

Briefly reviewed by Councilmember Perea who stated the proposition was not well thought out relative to impacts on the court system and explained, and made a motion to approve the resolution, which motion was seconded and acted upon after discussion.

**(3 - 0)** Councilmember Perea responded to questions of President Boyajian relative to types of impacts to the system and what the significance would be with Council taking a position. Councilmember Ronquillo stated a system was already in place to deal with problem youth and commented on his personal experience in dealing with youthful offenders. Councilmember Steitz spoke in support of Proposition 21 and what it would provide, questioned how anyone could oppose it stressing these were the kinds of reforms that were needed, and stated he would not support the resolution, with Acting President Bredefeld concurring. Councilmembers Perea and Steitz made closing comments in opposition to and in support of Proposition 21.

Speaking to the issue were: Barbara Hunt, 944 "F" Street; and Homer Leija, opposed to Proposition 21.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 2000-63 hereby adopted, by the following vote:

Ayes	:	Perea, Quintero, Ronquillo, Boyajian
Noes	:	Bredefeld, Mathys, Steitz
Absent	:	None

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**(5F) RESOLUTION - FUNDING THE POLICE RESERVE RECOGNITION DINNER - COUNCILMEMBER PEREA**

Removed from the agenda by Councilmember Perea.

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**(5G) COUNCIL CONSIDERATION ON WHETHER TO SCHEDULE A PUBLIC HEARING TO REVIEW THE PLANNING COMMISSION'S ACTION ON CUP NO. C-99-149 RELATING TO A FLAGPOLE AND COURTYARD AREA AT THE FRESNO MEMORIAL AUDITORIUM - COUNCILMEMBER RONQUILLO**

Councilmember Ronquillo stated he did not approve of the Planning Commission making certain final decisions for the community and explained, and requested a hearing be set on March 21<sup>st</sup> for a full debate on the issue. Councilmember Steitz noted an appeal of the Historic Preservation Commission (HPC) was already set for March 14<sup>th</sup> and requested a joint hearing, with Councilmember Ronquillo advising he would be out of town on March 14<sup>th</sup>. Brief discussion ensued on the two separate issues and processes.

Councilmember Ronquillo made a motion to hold the CUP/flagpole hearing on March 21<sup>st</sup> with the HPC appeal on March 14<sup>th</sup> as scheduled. Councilmember Steitz spoke in opposition stating it would be unfair to the public to have them attend on two separate occasions. The motion died for lack of a second.

On motion of Councilmember Steitz, seconded by Councilmember Mathys, duly carried, RESOLVED, a hearing set for March 14<sup>th</sup> at 3:00 p.m. to review the Planning Commission's action on CUP No. C-99-149 relative to a flagpole and courtyard area at the Memorial Auditorium in conjunction with the appeal filed by the Historic Preservation Commission, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Steitz
Noes	:	Ronquillo, Boyajian
Absent	:	None

City Manager Reid commented on and clarified the two separate issues and required processes/actions. Councilmember Ronquillo emphasized CUP's and final votes needed to come before Council as the duly elected body to make those types of decisions and the matter needed to be addressed for the future

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**(5H) DISCUSS/CONSIDER A RECOMMENDATION TO THE MAYOR TO INCLUDE FUNDING IN THE AMOUNT OF \$29,000 IN THE FY 2001 BUDGET FOR THE FRESNO POLICE MEMORIAL - COUNCILMEMBER RONQUILLO**

Briefly reviewed by Councilmember Ronquillo who advised Councilmembers had been asked to contribute funds by FPOA, and made a motion to approve his recommendation as outlined above. Councilmember Perea questioned what specifically was being requested for funding noting he had heard the courthouse project had been completed, whereupon Councilmember Ronquillo removed the item from the agenda at this time for further discussion and clarification.

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**(10:30 A.M.) REQUEST FOR UPDATE/STATUS REPORT FROM CITY MANAGER OR DESIGNEE ON THE SENIOR CITIZEN CENTER - COUNCILMEMBER QUINTERO**

City Manager Reid stated staff would provide a written status report. Councilmember Quintero advised of his dealings with staff stating the process kept getting backed up and questioned the timeline, with Mr. Reid advising of HUD timelines and escrow paperwork and added staff was working and moving forward on the issue as expeditiously as possible.

Mr. Rosatti, Attorney for AAA, expanded on problems and delays encountered in finalizing escrow documents. Lengthy discussion ensued with Mr. Rosatti, Mr. Reid and Chris Johnson, Architect for the project, responding to questions and comments of Councilmembers Quintero, Ronquillo and Perea relative to contacts with Sierra Hospital, new escrow information, HUD funds, need for City funds and process to release those funds (**4 - 0**), City's responsibility and costs, operational aspect with Councilmember Perea stressing a senior activity center was needed first, future AAA funding, need for the City to fully fund and staff the center, and construction timeline. Councilmember Ronquillo requested total buildout costs be included in the report including County funding and actual operational costs. Councilmember Mathys stated the more the private sector contributed the better which eliminated bureaucracy.

Councilmember Quintero briefly commented on the center, future sites, commitments made and received, and reiterated his concerns with the timeframe stating he thought funds had already been set aside and the seniors were the ones losing with the delays.

Barbara Hunt, 944 "F" Street, spoke to the issue. There was no further discussion.

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**(11:00 A.M.) HEARING ON PLAN AMENDMENT NO. A-99-22, FILED BY THE CITY OF FRESNO, TO AMEND THE 1984 GENERAL PLAN "NEIGHBORHOOD STREETS" SECTION REGARDING SIDEWALK INSTALLATION POLICY**

- 1. CONSIDER ENVIRONMENTAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION NO. A-99-22**
- 2. RESOLUTION NO. 2000-64 - ADOPTING PLAN AMENDMENT NO. A-99-22 REQUIRING SIDEWALKS ON BOTH SIDES OF NEW LOCAL RESIDENTIAL STREETS**

President Boyajian announced the time had arrived to consider the issue and opened the hearing. Planning Manager Beach briefly reviewed the staff report as submitted and recommended the amendment be approved.

Acting President Bredefeld commended staff for their work, stated this was a quality of life issue and sidewalks were necessary on both sides of the street, and made a motion to approve staff's recommendation. Councilmember Mathys seconded the motion stressing the City needed to ensure safety measures were there for its citizens. Mr. Beach responded to questions of Councilmembers Perea, Ronquillo and Quintero relative to effective date of the resolution, impact on projects in place, policy on residential park strips and maintenance responsibility, and widths of residential and commercial sidewalks.

Speaking in support of the resolution were: Lee Ky, 3475 W. Shaw (**5 - 0**); Jim Ireland, 4520 E. Sierra Madre; Samuel Kieffer, 1718 W. Shaw, Apt. B; Vicki McDaniel, 3475 W. Shaw; John Smith, 484 E. Tenaya; Olivia Ostergaard, 2740 W. Olive, Sp. 104; Ed Eames, 3376 N. Wishon; Sally Hagen, 5255 E. White; Grace Young, 5394 W. Fedora; William Milton, 1307 N. Calaveras; Barbara Hunt, 944 "F" Street; and Joni Johnson, Fresno Neighborhood Alliance.

Upon call, no one else wished to be heard and President Boyajian closed the hearing.

On motion of Acting President Bredefeld, seconded by Councilmember Mathys, duly carried, **RESOLVED**, the finding of a Mitigated Negative Declaration for Environmental Assessment No. A-99-22 hereby approved, and the above entitled Resolution No. 2000-64 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian
Noes	:	None
Absent	:	None

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**LUNCH RECESS - 12:29 P.M. - 2:38 P.M.** Councilmember Steitz was absent for the remainder of the meeting.

#### **UNSCHEDULED ORAL COMMUNICATIONS:**

**APPEARANCE BY BEVERLY PARKER, W. BEECHWOOD AVENUE, REGARDING ONGOING FLOODING PROBLEMS**

Appearance made with City Design Engineer Kassabian stating he would look into the issue to see what the City could do noting the Fresno Metropolitan Flood Control District was ultimately responsible. Brief discussion ensued on city-wide flooding problems and responsibility of the District. There was no further discussion.

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**(11:30 A.M.) HEARING ON UGM BOUNDARY AMENDMENT NO. 14 FOR TRACT NO. R-4637, PALM BLUFFS CORPORATE CENTER, FILED BY DIRK POESCHEL LAND DEVELOPMENT SERVICES ON BEHALF OF CALCOT, LTD.**

**1. CONSIDER ENVIRONMENTAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION NO. A-99-15, R-99-24**

**2. RESOLUTION NO. 2000-65 - APPROVING UGM BOUNDARY AMENDMENT NO. 14 REMOVING APPROXIMATELY 2 ACRES OF REAL PROPERTY FROM THE UGM AREA LOCATED SOUTH OF W. NEES NORTH OF W. OCALA AVENUE BETWEEN N. INGRAM AND N. HARRISON AVENUES**

135-99

2/29/00

President Boyajian announced the time had arrived to consider the issue and opened the hearing. A motion and second was made to approve staff's recommendation. Planning Manager Beach responded briefly to questions and Councilmember Ronquillo spoke in support of the project.

Upon call, no one wished to be heard and President Boyajian closed the hearing.

On motion of Councilmember Mathys, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the finding of a Mitigated Negative Declaration issued on January 27, 2000, for Environmental Assessment No. UGM BA-14 hereby approved, and the above entitled Resolution No. 2000-64 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Boyajian
Noes	:	None
Absent	:	Steitz

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**(2:00 P.M.) CONTESTED CONSENT CALENDAR ITEMS:**

**(1A-8) RESOLUTION NO. 2000-66 - INTENT TO ANNEX TRACT NOS. 4484 AND 4902 TO THE CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 2, ANNEXATION NO. 19, AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES; AND SETTING THE PUBLIC HEARING FOR APRIL 4, 2000, AT 10:00 A.M.**

Acting President Bredefeld stated he did not support Tract 4484, Maple/International, and brief discussion ensued on taking action on the resolution as presented or referring the matter to staff to see if the two tracts could be separated.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 2000-66 hereby adopted, by the following vote:

Ayes	:	Perea, Quintero, Ronquillo, Boyajian
Noes	:	Bredefeld, Mathys
Absent	:	Steitz

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**(1A-9) RESOLUTION NO. 2000-67 - DESIGNATING KRUEGER, INC. AS THE SOLE SOURCE SUPPLIER OF THE KRUEGER "ACTIFLO" CLARIFICATION SYSTEM WITHOUT COMPETITIVE BIDDING UNDER THE SOLE SOURCE EXCEPTION, AT A PRE-NEGOTIATED TOTAL COST OF \$1,110,034, FOR THE SURFACE WATER TREATMENT FACILITY PROJECT**

Acting President Bredefeld made a motion to adopt the resolution. Councilmember Ronquillo expressed his concern with the City issuing bonds to pay for the project emphasizing new development should pay its true costs and explained, and stated he would not support the resolution

Water Systems Manager McIntyre and City Manager Reid responded to and clarified questions and/or concerns of Councilmembers Mathys, Ronquillo and Perea relative to what the actiflo system was, bid specifications, other manufacturers, cost of the system, impact to the project if the resolution was not approved, total project costs, **(6 - 0)** charges imposed for new growth, and addressing northeast water issues.

On motion of Acting President Bredefeld, seconded by Councilmember Mathys, duly carried, RESOLVED, the above entitled Resolution No. 2000-67 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero,
Noes	:	Ronquillo, Boyajian
Absent	:	Steitz

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**(1B-4) \* BILL NO. B-19 - AMENDING SECTION 2-2801 OF THE FRESNO MUNICIPAL CODE ADDING ANNUAL LEAVE WHICH IS ACCRUED IN LIEU OF VACATION LEAVE AND SICK LEAVE FOR PARTICIPATING CITY EMPLOYEES (CONTINUED FROM EARLIER IN THE MEETING)**

Acting President Bredefeld made a motion to introduce the bill and directed staff to report back on concerns expressed by Ms. Smith in her letter included in the staff report, with Administrative Services Director Souza consenting.

On motion of Acting President Bredefeld, seconded by Councilmember Mathys, duly carried, RESOLVED, the above entitled Bill No. B-19 introduced before the Council and laid over, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Ronquillo, Boyajian
Noes	:	None
Absent	:	Steitz

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**(3:00 P.M.) CONTINUED JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

The joint bodies reconvened at 3:06 p.m.

**(“A”) JOINT HEARING TO ADOPT A RESOLUTION APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) BETWEEN THE REDEVELOPMENT AGENCY AND DIRK AND DIANA M. POESCHEL, AND MAKING CERTAIN FINDINGS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33433 FOR PROPERTY AT 923 VAN NESS AVENUE (COUNCIL AND AGENCY ACTION)**

**1. JOINT RESOLUTION NO. 2000-68 AND 1563 - APPROVING A DDA BETWEEN THE REDEVELOPMENT AGENCY AND DIRK AND DIANA M. POESCHEL**

Chair Ronquillo announced the time had arrived to consider the issue and opened the hearing. Redevelopment Administrator Murphey briefly reviewed the staff report as submitted. A motion and second was made to approve staff's recommendation.

Dirk Poeschel, 2310 Tulare Street, briefly reviewed the issue and displayed the project site plan and renderings of potential architectural themes on the overhead. Council commended Mr. Poeschel for his investment in the area.

Upon call, no one else wished to be heard and Chair Ronquillo closed the hearing.

On motion of Chair Ronquillo, seconded by Acting President Bredefeld, duly carried, RESOLVED, the above entitled Joint Council/Agency Resolution No. 2000-68/1563 hereby adopted; and the Agency Executive Director, or his designee, authorized to sign the DDA and such further documents and take such further actions as may be necessary or appropriate to carry out the Agency's obligations under the Agreement, including, without limitation, signing escrow instructions and a grant deed, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo
Noes	:	None
Absent	:	Steitz

**(“B”) \* RESOLUTION NO. 2000-69 - 82<sup>ND</sup> AMENDMENT TO AAR 99-181 APPROPRIATING \$40,000 FOR THE WATER TOWER VISITOR'S CENTER PROJECT (COUNCIL ACTION)**

On motion of President Boyajian, seconded by Chair Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 2000-69 hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo
Noes	:	None
Absent	:	Steitz

**(“C”) RECEIVE TIMELINE FOR COST AND PROCESS TO OBTAIN BOND FINANCING FOR CONVENTION CENTER/SELLAND ARENA IMPROVEMENTS/UPGRADE AND RENOVATION OF THE OLD EXHIBIT HALL - COUNCILMEMBER PEREA**

**1. PHASE 1 OF CONVENTION CENTER MODERNIZATION - COUNCILMEMBER QUINTERO:**

**a. DIRECT CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR FIRMS TO PROVIDE DESIGN/ARCHITECTURAL SERVICES INCLUDING BID SPECIFICATIONS TO REMODEL THE OLD EXHIBIT HALL (COUNCIL ACTION)**

**b. DIRECT THE CITY MANAGER TO ISSUE A RFQ FOR FIRMS TO COMPLETE THE PARKING GARAGE USER/DEMAND ANALYSIS, COMPLETE WITH FINANCIAL PROJECTIONS, PRELIMINARY DESIGN, AND SIZE OPERATING BUDGETS. SELECTED FIRM WOULD ALSO COMPLETE SPECIFICATIONS (COUNCIL ACTION)**

A motion and second was made to approve direction to staff as outlined in #1 “a” and “b”. City Manager Reid requested clarification on the request and questioned who would be administering the projects, with Agency Director Fitzpatrick responding. Acting President Bredefeld briefly left the meeting at 3:16 p.m.

Discussion ensued on the three separate issues and costs, responsibility for costs, an EIR for the exhibit hall project, and sharing costs. Mr. Reid stated Agency funds should be used as much as possible and that general fund dollars should be left for convention center operations and explained. Councilmember Perea stating he was hearing a potential for the process to start bogging down, stated it didn't matter who paid stressing the improvements needed to be made, and questioned what Council needed to do to stay on track and construction timeframes, with Economic Development Coordinator Webster and an unidentified gentleman responding. Brief discussion ensued on the need for cooperation between the City and Agency to move forward.

On motion of Councilmember Mathys, seconded by President Boyajian, duly carried, RESOLVED, a call for the question approved and debate on the issue closed, by the following vote:

Ayes : Boyajian, Mathys, Quintero, Ronquillo  
 Noes : Perea  
 Absent : Bredefeld, Steitz

Acting President Bredefeld returned to the meeting at 3:27 p.m.

On motion of Councilmember Mathys, seconded by President Boyajian, duly carried, RESOLVED, the City Manager directed to (1) issue a Request for Qualifications (RFQ) for firms to provide design/architectural services including bid specifications to remodel the old exhibit hall; and (2) issue a RFQ for firms to complete the parking garage user/demand analysis, complete with financial projections, preliminary design, and size operating budgets, with the selected firm to complete specifications, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea Quintero, Ronquillo  
 Noes : None  
 Absent : Steitz

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**(2:00 P.M.) CLOSED SESSION:**

**(A) JOINT COUNCIL/AGENCY:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) - CASE NAMES:

1. CIVIC CENTER SQUARE, INC. V. COF; SUP. CT. #612624-7
2. CITY OF FRESNO V. CIVIC CENTER SQUARE, INC., ET AL; SUP. CT. #612629-6
3. CITY OF FRESNO V. GORDON WEBSTER, ET AL.; SUP. CT. #612630-4
4. CITY OF FRESNO V. CIVIC CENTER SQUARE, INC.; SUP. CT. #612631-2

Not held.

**(A) CITY COUNCIL:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) - CASE NAME: ISAAC G. GALINDO, ET AL. V. CITY OF FRESNO, ET AL.

The Council met in regular closed session at the hour of 3:28 p.m. in Room 2125 to consider the above issue and adjourned thereafter.

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**ADJOURNMENT**

There being no further business to bring before the Council, the hour of 3:45 p.m. having arrived and hearing no objections, President Boyajian declared the meeting adjourned.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2000.

\_\_\_\_\_  
 Tom Boyajian, Council President

\_\_\_\_\_  
 Yolanda Salazar, Assistant City Clerk



**135-103**

**2/29/00**